

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

TIME 11:16 (OPEN)

DATE 1/20/05

JUDGE David Folsom

REPORTER Libby Crawford

DATA TREASURY CORP

§

§

V.

§

CIVIL ACTION NO. 2:04CV85

§

2:03cv459

SMALL VALUE PAYMENTS

§

MAGTEK INC.

§

MANAGEMENT CONFERENCE

ATTORNEYS FOR PLAINTIFF: Ed Hohn; Anthony Bruster; Harold Nix; Rodney Cooper;

ATTORNEYS FOR DEFENDANT: David Dillard (Magtek); Wesley Hill (Magtek); Preston McGee (Small Value Payments);

LAW CLERK: Peter Corcoran

THIS DAY CAME THE PARTIES BY THEIR ATTORNEYS AND THE FOLLOWING PROCEEDINGS WERE HAD:

11:16 ct opens; ct/ MC in 2 Marshall cases; and what can be done to simplify discovery and motion practice in these 2 cases; Hohn/ responds and happy with the way the Texarkana cases; ct/ any reason why these 2 cases can't be handled jointly from discovery and motion practice; Hohn/ responds; ct/ add ptys re: claim construction; 11:20 Hill/ provides introduction; Dillard/ add ct re: consolidated issue and feels it could possibly be handled jointly; 11:23 ct/ one pty wanted to impose Judge Ward and Davis' standing order; Hohn/ responds; 11:24 Hill/ add ct re: patent rules; 11:25 ct/ trial dates all ptys in agreement that October 2006 is feasible; would it be of benefit for ptys to try and work through these dates since there is now a trial date; ct desire and order to try and do as much as possible jointly; what else needs to be discussed; one pty wanted to mediate with Judge Parker; 11:28 Hohn/ would rather mediate earlier than later with Magtek since ptys are so close; ct/ any differences on number of depositions and do rules need to be modified; ct/ ptys need leave of ct if ptys surpass the 400 number; Dillard/ interrogatories; ct/ will allow that; 11:31 McGee/ there will be some individual issues; ct/ understands and let's strive to do as much as possible jointly; suggests that dfts confer if they want to join in on motions and specify that it is a joint motion; Hohn/ special master; Dillard/ doesn't feel one is needed; ct/ will take that up later if ptys feel that would be helpful; ct/ revise order reflecting October trial date; Hohn/ responds and will do that collaboratively; 11:33 recess;

DAVID J. MALAND, CLERK  
BY: Mel Martin

Courtroom Deputy

TIME: 11:33 (ADJOURN)